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Convention on the
Rights of the Child

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MEETING OF THE STATES PARTIES TO THE CONVENTION
ON THE RIGHTS OF THE CHILD

First meeting

SUMMARY RECORD OF THE 1st MEETING

Held at Headquarters, New York,
on Wednesday, 27 February 1991, at 10 a.m.

Temporary Chairman: Mr. HOUSHMAND (Director, Implementation Sub-Division, Centre for Human Rights)

Chairman: Mr. M. B. SY (Senegal)

CONTENTS

Opening of the meeting by the representative of the Secretary-General of the United Nations

Election of the Chairman

Adoption of the agenda

Adoption of the Rules of Procedure

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CONTENTS (continued)

Election of other officers of the meeting

Establishment of the Committee on the Rights of the Child

(a) Election of the ten members of the Committee on the Rights of the Child in accordance with article 43 of the Convention on the Rights of the Child

Determination of the duration of the meetings of the Committee on the Rights of the Child as provided in article 43, paragraph 10, of the Convention

Other matters

The meeting was called to order at 10.30 a.m.

OPENING OF THE MEETING BY THE REPRESENTATIVE OF THE SECRETARY-GENERAL OF THE UNITED NATIONS

1. The TEMPORARY CHAIRMAN, speaking on behalf of the Secretary-General, declared open the first meeting of States Parties to the Convention on the Rights of the Child. The meeting was an important landmark in the efforts of the international community to promote and protect human rights. Concern for the well-being of children, who made up half of the world's population and were mankind's most precious resource, was nothing new to the international community. In 1924, the League of Nations had adopted the Declaration on the Rights of the Child, and the United Nations, shortly after its creation, had given consideration to the needs of children by establishing the United Nations Children's Fund (UNICEF) and by including an article regarding children in the Universal Declaration of Human Rights. Furthermore, the 1959 Declaration on the Rights of the Child and the International Human Rights Covenants included elements relating to children.

2. Nevertheless, children continued to be subjected to intolerable abuse. Again and again, UNICEF had documented conditions of malnutrition, illness, lack of educational opportunity and unnecessary deaths to which millions of children world wide were exposed. The Centre for Human Rights had also been faced with the painful duty of describing in its reports countless cases of children subjected to forced labour, slavery, prostitution or conscription into the armed forces, tortured, and victimized by apartheid or discrimination as members of ethnic minorities or indigenous groups or of migrant workers' families, or simply because they were poor.

3. In 1978, the Commission on Human Rights had decided to begin drafting an international instrument which would have the force of law to protect the rights of children. More than 10 years of combined efforts by the working group of the Commission, Governments, non-governmental organizations, specialized agencies and UNICEF had led to the adoption of the Convention on the Rights of the Child on 20 November 1989. The Convention had entered into force on 2 September 1990, and to date the number of ratifications was 74.

4. The rights of the child covered by the Convention could be grouped under three major headings: fundamental rights and freedoms, such as the right of the child to life and equality, a name and a nationality; those which afforded children special protection against physical or mental abuse, abduction and trafficking, and economic exploitations; and those which provided for the full development by giving them access to basic services such as education, information and recreational and cultural activities. In some areas, such as adoption and protection of children from sexual exploitation, illegal drug use and abandonment, the Convention went much further than legal norms and practices and charted new territory.

5. The implementation of the Convention should become part of a broad process of promotion of child rights and human rights in general. The basic rights of children

(The Temporary Chairman)

would depend in large measure on the level of enjoyment of human rights in the society in which they lived; the necessary freedom for children to develop intellectually, morally and spiritually could be enjoyed only in a healthy and secure environment which satisfied basic needs for food, clothing and shelter.

6. Article 45 of the Convention provided that specialized agencies, UNICEF and other organs and competent organizations of the United Nations should play an important role in the implementation of the Convention and in the work of the Committee on the Rights of the Child. Specifically, those organs and bodies were entitled to be represented in the Committee, could be invited by the Committee to provide expert advice on the implementation of the Convention and to submit relevant reports, and could receive reports from the States Parties, through the Committee, containing requests for technical advice or assistance. In that respect, the Centre for Human Rights had taken the initiative in promoting co-operation between the Committee and the specialized agencies and UNICEF, and had called a two-day meeting in Geneva in mid-January for the purpose of holding consultations with all international organizations and agencies whose programmes related to the goals of the Convention. That meeting had afforded an excellent opportunity to examine with those organizations their roles relating to the implementation of the Convention and the work of the Committee on the Rights of the Child, the articles of the Convention of special interest to each body and the type of information each could provide, as well as methods of participation in the work of the Committee.

7. With resepct to the programme of advisory and technical assistance services of the Centre for Human Rights, the May 1990 United Nations seminar for the Asia and Pacific region held in Manila had placed special emphasis on the Convention and its implementation. In December 1990, the Centre had organized, in cooperation with the Government of India, a practical course on the rights of the child, with special reference to girls. The course had benefited from contributions by ILO, UNESCO, WHO, UNICEF, UNDP and UNHCR, as well as several national and international experts in human rights. Furthermore, the Centre was preparing a special edition of the Human Rights Bulletin on the Convention on the Rights of the Child. Its rapid entry into force, within 10 months of its adoption, and the high number of ratifications deposited in such a short time, was an encouraging expression of the faith of the international community in the future and its determination to continue to fight for a just and more humanitarian social order. The Centre for Human Rights would do everything within its power to cooperate with the States Parties and to help make the activities of the Committee as effective as possible.

ELECTION OF THE CHAIRMAN

8. Mr. KIBIDI NGOVUKA (Zaire), speaking on behalf of the Group of African States, nominated Mr. M. B. Sy (Senegal) for the office of Chairman.

9. Mr. GALAL (Egypt) supported the nomination.

10. Mr. M. B. Sy (Senegal) was elected Chairman by acclamation.

11. Mr. Sy took the Chair.

ADOPTION OF THE AGENDA (CRC/SP/1)

12. The CHAIRMAN said that, if he heard no objection, he would take it that the meeting wished to adopt the provisional agenda as contained in document CRC/SP/1.

13. It was so decided.

ADOPTION OF THE RULES OF PROCEDURE (CRC/SP/L.1)

14. The CHAIRMAN said that if he heard no objection, he would take it that the meeting accepted his proposal to approve the draft rules of procedure (CRC/SP/L.1), with the understanding that, in accordance with article 20, all questions of procedure which arose in the meeting not covered by the Rules of Procedure would be resolved by the Chairman on the basis of the rules of procedure of the United Nations General Assembly as they applied to the question.

15. It was so decided.

16. The CHAIRMAN drew the attention of members to article 2 of the Rules of Procedure, which stipulated that credentials of representatives and names of members of each delegation should be communicated to the Secretary-General if possible at least one week before the date fixed for the opening of the meeting, and that the credentials should be sent by the Head of State or Government, or by the Minister for Foreign Affairs. The Secretary-General, who under the terms of article 2 must report to the meetings on the credentials, still had not received the credentials of some States Parties represented at the meeting, despite having requested, in a note dated 25 January 1991, that States Parties should forward those credentials at least one week before the date of the meeting.

17. He proposed that, consequently, and in accordance with article 3, the representatives of those States Parties should be authorized to participate in the meeting provisionally, and request them to forward their credentials to the Secretary-General as soon as possible.

18. It was so decided.

ELECTION OF OTHER OFFICERS OF THE MEETING

19. The CHAIRMAN said that, in accordance with rule 4 of the rules of procedure, the meeting should elect from one to four Vice-Chairmen from among the representatives of the States Parties.

20. Mr. TATTENBACH (Costa Rica), speaking on behalf of the Group of Latin American and Caribbean States, nominated Mrs. Diéguez Armas (Mexico) for the office of Vice-Chairman.

21. Mrs. NAVAJAS MOGRO (Bolivia) seconded the nomination.

22. Mr. TRINH XUAN LANG (Viet Nam), speaking on behalf of the Group of Asian States, nominated Mr. Dugersuren (Mongolia) for the office of Vice-Chairman.

23. Mr. BOUTET (France), speaking on behalf of the Group of Western European and other States, nominated Mr. Borg Olivier (Malta) for the office of Vice-Chairman.

24. Mr. SILOVIC (Yugoslavia), speaking on behalf of the Group of Eastern European States, nominated Mr. Pashkevich (Byelorussian Soviet Socialist Republic) for the office of Vice-Chairman.

25. Mrs. Diéguez Armas (Mexico), Mr. Dugersuren (Mongolia), Mr. Borg Olivier (Malta) and Mr. Pashkevich (Byelorussian Soviet Socialist Republic) were elected Vice-Chairmen by acclamation.

ESTABLISHMENT OF THE COMMITTEE ON THE RIGHTS OF THE CHILD

(a) ELECTION OF THE TEN MEMBERS OF THE COMMITTEE ON THE RIGHTS OF THE CHILD IN ACCORDANCE WITH ARTICLE 43 OF THE CONVENTION ON THE RIGHTS OF THE CHILD (CRC/SP/2 and Add.1-3)

26. The CHAIRMAN recalled that article 43 of the Convention on the Rights of the Child provided that the members of the Committee should be elected by secret ballot from a list of persons nominated by States Parties. The list had originally been made up of 35 candidates, but Uganda and Mexico had withdrawn their candidates.

27. Mr. CHOWDHURY (Bangladesh) said that the Convention was of great interest to his country, one of the first to sign it. Bangladesh had proposed Mr. Rukanuzzaman Khan as a candidate, but since, unfortunately, geographical distribution had not been respected, it had decided to withdraw the nomination of Mr. Khan.

28. At the invitation of the Chairman, Mrs. Arungu-Olende (Kenya) and Mr. Stadthagen (Nicaragua) acted as tellers.

29. A vote was taken by secret ballot.

Number of ballot papers:	69
Invalid ballots:	1
Number of valid ballots:	68
Abstentions:	none
Number of members voting:	68
Required majority:	35

Number of votes obtained:

Mrs. Badran	43
Most Rev. Luis Bambaren Gastelumendi	33
Mrs. Belembaogo	27
Mrs. Borges de Omena	38
Mrs. Calderón de Escalón	5
Mr. Cantón Pombo	9
Mrs. Chaussade	32
Mrs. Constantinescu	16
Mrs. Corpuz-Eufemio	21
Mr. Crespo Toral	28
Mrs. Diaby	10
Mr. Elizeche Almeida	5
Mr. Hammarberg	33
Mrs. Housseini	10
Mrs. Idzumbuir	13
Mr. Kolosov	32
Mr. Koroma	12
Mr. Mahmud	26
Miss Mason	22
Mr. Mohamed	9
Mr. Mombeshora	28
Mrs. Nana	19
Mrs. Navajas Mogro de Alandia	22
Mrs. Nieto-Cartín	17
Mrs. Quartey	17
Mrs. Ruesta de Furtei	24
Mr. Ruiz Giménez	22
Mr. Saifuddin	23
Mrs. Santos Pais	42
Mrs. Talon	7
Mrs. Ngo Ba Than	14
Mr. Vacek	12

30. Mrs. Badran, Mrs. Santos Pais and Mrs. Borges de Omena, having obtained the required majority, were elected members of the Committee on the Rights of the Child for a four-year term.

31. The CHAIRMAN said that since the candidates elected were fewer than the number of members to be elected, a second vote should be taken, in accordance with rule 15 of the rules of procedure, at the afternoon meeting to fill the remaining posts, the balloting to include only those candidates who had obtained the most votes in the preceding vote.

32. It was so decided.

DETERMINATION OF THE DURATION OF THE MEETINGS OF THE COMMITTEE ON THE RIGHTS OF THE CHILD AS PROVIDED IN ARTICLE 43, PARAGRAPH 10, OF THE CONVENTION (CRC/SP/3)

33. Mr. GALAL (Egypt) asked the Secretariat to submit proposals based on precedents in other meetings involving the Centre for Human Rights, by way of assistance in determining the duration of the meetings of the Committee on the Rights of the Child. Such proposals could be instructive for the members of the Committee and help them in considering the matter. Furthermore, he pointed out that perhaps the three weeks proposed for the first session might be too long. He believed that two weeks would suffice, because there would be no submission of reports.

34. Mr. HOUSHMAND (Representative of the Secretary-General) said that the Secretary-General intended to convene the first session of the Committee in September 1991, at which time the Committee would consider and adopt its rules of procedure and adopt draft guidelines for the submission of reports by States Parties, the first series of which were scheduled for September 1992, namely, two years after the entry into force of the Convention. Also at its first session, the Committee would take decisions on matters such as arrangements for cooperation with the specialized agencies concerned and with the United Nations Children's Fund (UNICEF). The duration of the Committee's second session had been left flexible, up to a maximum of three weeks. The exact date when it would be held had not been determined, but consultations with the Department of Conference Services on the matter were continuing.

35. Concerning the second point raised by the representative of Egypt, the Secretary-General, wishing to make economic use of the Secretariat's conference-servicing resources and relying on previous experience, had set the duration of the Committee's first session at three weeks, but naturally if the Committee finished its work earlier, the session would rise. Since, however, a new committee was involved, more time might be needed, within the three-week limit.

36. Mr. PASHKEVICH (Byelorussian Soviet Socialist Republic) supported the proposal of the representative of Egypt to limit the first session of the Committee to a duration of two weeks, which would be more than enough to complete its work, in view of the fact that the agenda was limited, the items were traditional and the members had already had experience in drafting documents of that kind and in dealing with similar diplomatic issues.

37. Mr. BORG OLIVIER (Malta) said that one should be guided by the opinion of the Secretary-General regarding the duration of the session, given his vast experience in the matter. In order to avoid the risk of making the session too short, he proposed that the Committee should meet for two weeks and, if necessary, for three.

38. Mr. BAGBENI ADEITO NZENGEYA (Zaire) supported the proposal of Malta, whose reasoning was convincing. The Secretariat certainly had vast experience in organizing sessions. In addition, by offering the Committee the possibility of meeting for a maximum of three weeks, savings could be made and the view of the Egyptian and Byelorussian representatives would be respected.

39. The CHAIRMAN said that, if he heard no objection, he would take it that the meeting wished to adopt the proposal to have the first session of the Committee on the Rights of the Child meet for a period of two weeks, and, if necessary, up to three weeks.

40. It was so decided.

OTHER MATTERS

41. Mr. BORG OLIVIER (Malta) asked why the Committee was to have 10 members and not 18 like many other United Nations committees.

42. Mr. HOUSHMAND (Representative of the Secretary-General) replied that the text of the Convention was the product of negotiations held over the last 10 years. Until the last few years of those negotiations, the question of the composition of the Committee had been left open. Unquestionably the great majority of the other United Nations committees had 18 members, a number that allowed them to function efficiently. In the case of the Committee on the Rights of the Child, it had been decided that it would have 10 members for financial reasons. However, the Secretariat as well as the delegations had concern for the efficiency and proper functioning of the Committee. Furthermore, in the Commission on Human Rights currently meeting in Geneva, various delegations had unofficially raised the possibility of increasing the Committee's membership. Perhaps the number of its members could later be increased to 18, to avoid problems with a quorum if two or three of its members should be absent.

43. Mr. GALAL (Egypt) proposed the inclusion of an additional item in the Committee's agenda entitled "Consideration of a way of improving the condition of the world's children". UNICEF, the central agency dealing with matters relating to children, would be responsible for the relevant documentation, which would be based on its own experience, on the Convention, and on the implementation of the Declaration adopted at the World Summit for Children.

44. The CHAIRMAN proposed 1 March 1991 as the date on which the Committee should begin its work.

45. It was so decided.

The meeting rose at 1.15 p.m.